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Attorneys for Defendant
KT CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DQ TECHNOLOGY, INC., a California corporation)	Case No. C 06 6705 JL
)	
Plaintiff,)	STIPULATED APPLICATION
)	AND PROPOSED ORDER
vs.)	CONTINUING JANUARY 31, 2007
)	INITIAL CASE
KT CORPORATION, a South Korean corporation; and NAON TECH CO., LTD, a South Korean corporation,)	<u>MANAGEMENT CONFERENCE</u>
)	
Defendants.)	
)	

This application is respectfully submitted as a request for a continuance of the Initial Case Management Conference herein, which has been set, by order of the court filed October 27, 2006, to take place on January 31, 2007 at 10:30 a.m. This application is made by and on behalf of

1 Plaintiff DQ Technology ("Plaintiff"), by and through its counsel of record herein, and is agreed to
2 by counsel for Defendant KT Corporation ("Defendant KT"), which makes this stipulation while
3 preserving all of its defenses herein, except any defense as to service of process.

4 The grounds for this application are as follows:

5 1. This action was filed on October 27, 2006; upon that date, the court issued an order
6 setting the Initial Case Management Conference to take place on January 31, 2007 at 10:30 a.m.

7 2. On November 14, 2006, after previously mailing and electronically transmitting the
8 summons and complaint to Defendant KT and the other Defendant, Naon Tech, which are both
9 corporations whose principal place of business is in Korea, Plaintiff resent the summons and
10 complaint to Defendants together with a request for a waiver of formal service of process.

11 3. Defendant KT has waived the formalities of service, while reserving all other
12 defenses and objections, and is due to respond to the Complaint herein on or before February 12,
13 2007.

14 4. Naon Tech has not yet responded to the request for a waiver, and if it does not do so
15 by January 12th, the deadline for response, Plaintiff intends formally to serve Naon Tech through
16 the Hague Service Convention. To date, no attorney representing Naon Tech has contacted Plaintiff
17 or its counsel with respect to this matter.

18 5. Under the circumstances, Plaintiff respectfully submits, and Defendant KT agrees,
19 that this matter is not yet ready for an Initial Case Management Conference and, in the interest of
20 judicial economy and to save unnecessary effort of the parties, the January 31, 2007 Case
21 Management Conference should be continued.

22 6. To allow for service of process upon Naon Tech to be completed and for Defendant
23 KT to respond to the Complaint within the time allowed, the parties propose that the Initial Case
24 Management Conference be continued for a period of two months, to Wednesday, March 28, 2007
25 at 10:30 a.m.

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27 ///

28 ///

1 Plaintiff and Defendant KT stipulate to this Application and submit it jointly.

2 Respectfully Submitted,

3 Dated: January 5, 2007

HOLLAND & KNIGHT LLP

5 By: *Matthew P. Vafidis*
6 Matthew P. Vafidis
7 Chung-Han Lee
8 Attorneys for Plaintiff
9 DQ TECHNOLOGY, INC.

10 Dated: January 5, 2007

MORRISON & FOERSTER LLP

11 By: *Grant L. Kim*
12 Grant L. Kim
13 Melvin V. Priester, Jr.
14 Attorneys for Defendant
15 KT CORPORATION

16 **IT IS SO ORDERED.** The Initial Case Management Conference herein
17 shall be continued to March 28, 2007, 2007, with all other dates continued
18 accordingly.



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